



H0004950-1633

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

E.F. CHARLES LABERGE

Serial No.: 10/754,570

Filed: January 12, 2004

For: SYSTEM AND METHOD FOR USE  
OF SHORTENING AND  
PUNCTURING IN AN ADAPTIVE  
CODE FOR BAND-AND TIME-  
SELECTIVE COMMUNICATIONS

Art Unit: 2819

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT FILED UNDER 37 C.F.R. § 1.97(c)(1)**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant wishes to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each reference is enclosed herewith. Further, the undersigned hereby certifies that:

- ☒ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to my knowledge after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any

individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The undersigned believes that this Information Disclosure Statement is being filed before the mailing date of any action that closes prosecution in the present application. Accordingly, Applicant does not believe that a fee is due for filing this paper. However, should such an action have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under 37 C.F.R. § 1.97(d) and charge the requisite fee to our Deposit Account No. 50-1390, under Order No. H0004950-1633 and proceed to consider this Information Disclosure Statement.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the reference or references.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over any referenced document, should it be applied against the claims of the present application.

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Date: August 4, 2004

Respectfully submitted,

E.F. CHARLES LABERGE

By:

A handwritten signature in cursive script, appearing to read "Lawrence D. Eisen", written over a horizontal line.

Lawrence D. Eisen

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	1	of	1
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Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's name and address. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Documents of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.